

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

KHALEEF DANIELS,	:	
	:	
Plaintiff,	:	Civ. No. 23-4572 (RBK) (EAP)
	:	
v.	:	
	:	
UNITED STATES OF AMERICA,	:	MEMORANDUM & ORDER
	:	
Defendant.	:	
	:	

Plaintiff is proceeding *pro se* with a civil complaint filed pursuant to the Federal Tort Claims Act (“FTCA”) against Defendant the United States of America. Plaintiff is proceeding in forma pauperis. Previously, this Court administratively terminated this action as Plaintiff’s complaint was unsigned. Subsequently, Plaintiff submitted a signed copy of his complaint (*see* ECF 9) such that the Clerk will be ordered to reopen this case.

This case is subject to *sua sponte* screening by the Court. Plaintiff raises two instances of purported negligence by Federal Bureau of Prisons’ employees which caused him to suffer injuries while incarcerated at F.C.I. Fairton in Fairton, New Jersey. Plaintiff’s FTCA claim against the United States shall be permitted to proceed.

Therefore, IT IS on this 14th day of May, 2023,

ORDERED that the Clerk shall reopen this case; and it is further

ORDERED that Plaintiff’s complaint against the United States shall be permitted to proceed past screening against the United States on Plaintiff’s FTCA claim; and it is further

ORDERED that the Clerk shall provide to Plaintiff a transmittal letter explaining the procedure for completing the United States Marshal (“Marshal”) 285 Form (“USM-285 Form”) as to Defendant the United States; and it is further

ORDERED that once the Clerk receives the USM-285 Form from Plaintiff, the Clerk shall issue summons in connection with each USM-285 Form that have been submitted by Plaintiff; and the Marshal shall serve the summons, the complaint (ECF 9) and this memorandum and order on the address specified on the USM-285 Form, with all costs of service advanced by the United States; and it is further

ORDERED that the Defendant the United States shall file and serve a responsive pleading within the time specified by Federal Rule of Civil Procedure 12; and it is further

ORDERED the Clerk shall also serve on Plaintiff by regular U.S. mail the following: (1) a copy of this memorandum and order; and (2) a blank copy of a motion for the appointment of pro bono counsel in a prisoner civil rights case should Plaintiff elect to file such a motion.

s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge